Safety Program Management

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OBJECTIVE

During this session you will become familiar with contractual requirements and acceptable administrative practices associated with the Corps' construction safety program.

Occupational Safety and Health

General Duty Clause:

No person shall be required or instructed to work in surroundings or under conditions which are unsafe or dangerous to their health.

General Discussion

- **Why Safety?**
  - **To prevent accidents**
  - **Protect employee and visitors**
  - **Assure that work is completed**
  - **To maintain a "Contractor Resource”**
  - **Command says so**

Top Killers on Construction Sites

- **Falls**
- **Excavation cave-ins**
- **Struck by**
- **Electrocution**
- **Vehicle Operations**

Construction is Dangerous

- **For every 100 of you in the group, 5 will be seriously injured.**

  - Corps worldwide 0.58/100

- **For every 100,000 construction workers, 15 will be killed.**

- **Only farmers and deep sea fishermen face higher risks**

Is Safety required in all contracts

- **Construction**
  - **All FAR clauses in construction over $25,000.**
  - **Limited FAR clauses in construction < $25,000.**
- **Service**
- **Supply**

General Discussion Cont.

- **Where in contracts is the requirement?**
  - **Contract Clauses**
  - **Special Requirements**
  - **Description/Work Statement**

What are the tools used to Ensure Safety?

- Contract Clauses
- Safety Manual EM 385-1-1
- OSHA and Host Nation Safety Agencies
- Management Support
- Accident Reporting and Investigation

Contract Clauses

FAR Clauses

- Accident Prevention
- Cleaning Up
- Superintendence by Contractor
- Material and Workmanship
- Drug Free Workplace
- Hazardous Material

52.236-13 Accident Prevention

- Compliance with EM 385-1-1
- Record keeping/reporting
- Compliance with unique Corps safety requirements
- Right to stop work if required
- Accident Prevention Plan
- Activity Hazard Analysis
- Prime contractor responsible for subcontractor
- Contractor must meet with Corps prior to work

52.236-12 Cleaning Up

- **Requires contractor to keep the work area and storage areas free from accumulations of waste materials.**

52.236-7 Permits and Responsibilities

- **Makes contractor responsible for complying with all Federal, State, and municipal laws, codes, and regulations.**

52.236-6 Superintendence by the Contractor

- **Requires contractor to superintend the work**
- **Requires superintendent to be satisfactory to the contracting officer and to have authority to act for the contractor**

52.236-5 Material and Workmanship

- **Gives Government the right to require, in writing, that the contractor remove from the work any employee the contracting officer deems incompetent, careless, or otherwise objectionable.**

Safety Manual

- **Always at least get this in your contract.**

- **Better to have it and not need it, than not to have it and need it.**

Safety Manual

- **b. The project safety and health plan should address applicable items listed in Appendix A.**

OSHA/Host Nation Laws

- All contractors must comply with Host Nation laws
  - Construction Site Ordinance
- Can we enforce OSHA on our contracts?
- Where do we get the authority to enforce Federal Law?
- 29 CFR 1910 is applicable to general industry.
- 29 CFR 1926 is applicable to construction.

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GERMAN CONSTRUCTION SAFETY LAWS
RAB 30 http://www.baua.de/prax/bau/rab30.pdf

- A Construction site is a place where a construction project is carried out. A construction project is a project to build, alter, demolish one or several physical structures.

- **When Applicable:**

  - When work is scheduled to last longer than 30 days and on which more than 20 workers are occupied simultaneously, or
  - on which the volume of work is scheduled to exceed 500 person-days, **or**

  - work involves particular risks as referenced in Annex II of the law. Annex II includes:
    - danger of engulfment in excavations deeper than 5 meters
    - falls higher than 7 meters
    - HTRW operations where worker health monitoring is required
    - work near high voltage lines
    - risk of drowning
    - work underground
    - diving
    - workers using compressed air
    - using explosives
    - work involving heavy prefabricated components

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GERMAN CONSTRUCTION SAFETY LAWS (cont.)

- **Safety Coordinators:** Contractor will appoint a Safety Coordinator and develop safety plan (SIGE) to be provided to the GAA, with copy to Corps, 2 weeks prior to mobilization.

- **Prior Notice of Project:** Contractor will provide Notification to the GAA, with copy to the Corps, 2 weeks prior to mobilization. Prior notice includes:

  - Date
  - Address of construction site
  - Client name and address
  - Type of project
  - Project supervisor
  - Safety Coordinator during Design phase
  - Safety Coordinator during Construction phase
  - Planned start work date
  - Planned duration of project
  - Estimated maximum number of workers on project at any given time
  - Planned number of contractors, including subs.
  - Name(s) of contractors already chosen.

Step 1

Who is in charge ?

Determine

- Who is the building owner (Contract/Project Manager)

Key Elements/Indicators

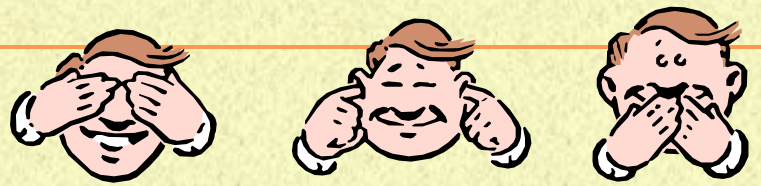
- Who initiate contract
- Who prepare contract/specifications
- Who provides COR
- Who inspect that contract specs are being met
- What type of funds used

Typical

- German construction agency/Saatsbauamt
- EUD (Corps of Engineer, European District)
- ASG/BSB

Who is in charge ?

German construction agency



Exceptions

- Immediate Danger to Life and/or Health
- Endanger public (depending on case, report thru official channels (European Engineering Division – former DCSENGR)
- Construction Traffic in public areas (Installation)

Orientation and Training

Managing the Work

Consider

- Initial orientation and training of project management/safety/coordinator about safety culture" of site/installation specific safety requirements
- Confined space/Work permits
- Tie-in into existing utility lines
- Safety coordinators name and SIGE plan
- Traffic Safety Obligation

Who is in charge ?

German construction agency

NOTE

- German construction agency acts as the building owner
- Construction ground is transferred to them

Consequences

- All obligations remain with the German Construction Agency

EXCEPT

- where the company leaves the transferred ground thru US Army property
- Where transfer areas/points are under the responsibility of the US Army

Who is in charge ?

State construction agency

Corps of Engineers EUD

DO NOT IGNORE

Construction Ground remains with the US Army

US ARMY is Building Owner

All obligations remain with US ARMY

Key Elements to Clarify

- Who is the assigned Project Manager/Safety (US Army)
- Who is the COR
- How many contractors/subcontractors are at the construction site
- Are Safety Obligations met
- Who perform safety inspections
- Responsible Trade Supervision

ENSURE

- Clear,common understanding of safety expectations by all parties (Kick off pre-construction meeting; Initial Briefing Orientation; follow-up construction meetings)

Who is in charge ?

State construction agency

Corps of Engineers EUD

ASG/BSB DPW Contracted

Take Care

Construction Ground remains with the US Army

US ARMY ASG/BSB is Building Owner

All obligations remain with US ARMY ASG/BSB

Key Elements SAFETY to be involved

- Contractor Selection
- Contract Preparation (Service Contracts!!)
- Contract Award
- Orientation and Training
- Managing the Work
- Post Contract Evaluation

ENSURE

- Knowledge, understanding, and commitment to safety requirements by contract workers
- Safety Responsibilities are either:
  - Properly delegated (Contract)
  - Carried out by ASG/BSB Safety Professionals

Post-Contract Evaluation

All Safety Obligations remain INHOUSE

DPW is the employer

Who is in charge ?

State construction agency

Corps of Engineers EUD

ASG/BSB DPW Contracted

BSB DPW Executed

Managing the work

- Determine safety requirements for construction (Arbeitsschutzgesetz, Baustellenverordnung etc.etc.)
- Consider SIGEPLAN and Coordinator if required
- Meet general requirements like
  - Maintenance of work equipment and tools
  - Storage and disposal of materials, waste and HAZMAT
  - Reciprocal effects between the work on the building site and other operational activities on the area
  - PPE
- Assess field safety execution against requirements
- Assure that audits are directed at injury prevention rather than “policing”
- Install a follow up process that drives continuous improvement and avoids repetition of common errors
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QUESTIONS?